

REMARKS

This Request for Reconsideration is filed in response to the Office Action of July 27, 2005, in which claims 1-24 were rejected.

Claims 1, 2, 5-11, 13, 14, 16-19, 20-22, and 24 are rejected under 35 U.S.C. §103(a) as being obvious over Yoshida (U.S. 2002/0081987) in view of Standke (U.S. 6,694,150).

The Examiner states that Yoshida teaches a system that effectuates received diversity within a mobile communication device, pointing to paragraph 23, lines 1-3 and paragraph 25, lines 1-11, as well as Fig. 1. However, received diversity is not mentioned by Yoshida et al and it is not seen within the Yoshida et al document where received diversity is implemented. Therefore, it is not correct for the Examiner to state that Yoshida teaches a system that effectuates received diversity within a mobile communication device.

Rather, Yoshida et al show an antenna 10 used for multiple-band transmission and reception along with an antenna 21 used for GPS reception. Yoshida et al further show an antenna 30 external to a vehicle which can be connected through an external connection terminal 22 so as to make the cellular phone 1A behave as if it is outside the vehicle. The purpose of Yoshida et al is to reduce the number of external connection terminals 22 required to be used in a cellular phone such as the phone 1A which tries to use both GPS and cellular transmissions in the same device. See page 1, paragraph [0010] of Yoshida et al. For all of these reasons it is incorrect for the Examiner to state that Yoshida teaches a system that effectuates received diversity.

Regarding the Examiner's statements about the first antenna 10 of Yoshida et al, the Applicant can agree that it facilitates reception of signals from a cellular

system such as the 900MHz and 1.8GHz radio frequency bands disclosed by Yoshida et al. Applicant also agrees that the second antenna 21 is for facilitating reception of signals in the GPS band.

Applicant also agrees that Yoshida fails to teach that the antenna 21 facilitates reception of signals in a GPS band and at least one of the bands received by the first antenna 10 wherein tuning of the second antenna depends upon a signal type relayed to the second antenna.

However, Applicant does not agree that one of ordinary skill in the art in possession of Yoshida et al and Standke et al would be motivated to substitute the antenna 110 of Standke et al for the antenna 21 of Yoshida et al and furthermore does not agree that even if such were to be done that the resultant modification would result in the claimed invention.

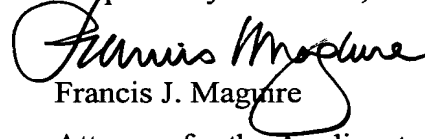
First of all, there is no hint or suggestion in either reference of received diversity. Therefore, there would be no motivation to modify the antenna 21 of Yoshida et al to correspond to the antenna 110 of Standke et al. There is no hint or suggestion that the phone BS112 frequency of Standke should be the same as the frequency of the signals received by the antenna 10 of Yoshida et al. Such a suggestion cannot be found in either Yoshida et al or Standke et al.

The same remarks made above in connection with the obvious rejection of claim 1 applies to the other independent claims 17, 21, 22 and 24 rejected on the same ground and withdrawal of the rejection thereof is requested. As for the dependent claims 2, 5-11, 13, 14, 16, and 18-20, the same reasoning applies equally to these claims as advanced above in connection with the independent claims from which they depend and withdrawal of the obviousness rejection thereof for at least these same reasons is also requested.

Regarding the obviousness rejection of claims 3, 4, 15 and 23 based on Yoshida et al in view of Standke and further in view of Eggleston (U.S. 6,414,640), these dependent claims are at least patentable for the same reasons given above and withdrawal of the obviousness rejection thereof is also requested.

The objections and rejections of the Office Action of July 27, 2005, having been obviated by amendment or shown to be inapplicable, withdrawal thereof is requested and passage of claims 1-24 to issue is solicited.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Francis J. Maguire", written over the printed name.

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